FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

CRIMINAL APPLICATION NO. 1649 OF 2005.
IN
CRIMINAL APPEAL NO. 444 OF 2000 .

Moreshwar Dhondu Madke. ..Applicant.
vs.
The State of Maharashtra. ..Respondent.

Office Notes,Office Memoranda of Coram, appearnaces,Courts's orders or directions and Registrar's orders.	:	Court's or Judge's orders

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Shri A.R. Pitale for the applicant.
A.P.P. for the State.

CORAM: V.M.KANADE,J.
DATED: 11-3-2005.

P.C.:

1. This is an application for restoration of Criminal Appeal No. 444 of 2000, which was dismissed for want of prosecution. It is submitted that criminal appeal was admitted on 14.7.2000 and applicant was granted bail. It is stated that thereafter the matter was on board on 14.9.2001 and it was listed under the caption "Objections not removed". The objections were in the following nature:

1. Full address of the parties not given.

2. Fair copy not furnished.

3. Original status not stated.

4. A person to whom compensation is awarded not made a party-respondent.

It is submitted that the said objections would be removed within one week. It is submitted that only after Criminal Application No. 713/2005 was made for fixing an early date of hearing and when the matter did not appear on board, an enquiry was made in the office when the applicant learnt that the appeal is dismissed for want of prosecution.

2. Considering the peculiar facts and circumstances of the case, delay in filing Criminal Application is restored to file. Criminal appeal is also restored to file. The order of bail is also revived. Criminal Application No. 1649 of 2005 is allowed in the above terms.